

14. (Twice Amended) A machine according to claim 1, wherein the magnets have edges that are adjacent to the stator and the rotor has at least one, at one axial end, check-plate of non-magnetic material, with a periphery of the check-plate being set back from said edges.

REMARKS

Claims 1-42 are pending. By this Amendment, claims 1 and 14 are amended.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration since the amendments amplifies issued previously discussed during prosecution; (c) does not present any additional claims; and (d) places the application in better form for appeal should an appeal be necessary. Thus, entry of the Amendment is respectfully requested.

The attached Appendix includes a marked-up copy of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Applicants filed an Information Disclosure Statement on October 17, 2002. In that Information Disclosure Statement, Applicants stated that references 3-8, 10 and 13-23 were cited in a counterpart foreign application. Applicants also submitted an English language version of the foreign search reports for the Examiner's information. However, upon further review, Applicants note that the foreign application, is related but is not, in fact, a counterpart foreign application.

Accordingly, in order to correct the Patent Office record, Applicants hereby assert that references 3-8, 10 and 13-23 were not cited in a counterpart foreign application and thus the search reports are not a concise explanation of relevance for the cited references. With regard to non-English language references 19 (EP 0 669 699 A1) and 21 (DE 199 03 409 C1), Applicants enclose the respective Abstracts for these references as the concise explanation of

relevance for these references. With regard to non-English language references 16 (EP 1 050 948), 18 (EP 0 777 312) and 20 (DE 195 03 610 A1), Applicants enclose the respective corresponding English-language patents, U.S. Patent Nos. 6,369,473, 5,828,147 and 5,744,888. Applicants do not submit a concise explanation of relevance for non-English language reference 8 (DE 700 420C) because this reference is not material to patentability. With regard to non-English language references 14, 17, 22 and 23, Abstracts were attached to those references upon filing the October 17 Information Disclosure Statement. For references 3-7, 10, 13 and 15, a concise explanation of relevance is not necessary because they are English language references. It is thus respectfully requested that the Examiner reconsider the references in view of the above correction.

Applicants appreciate the indication of allowable subject matter for claims 10-12. However, Applicants assert that all of claims 1-42 are allowable over the applied references.

Claims 1-8, 13-15, 18-25, 30 and 32-42 were rejected under 35 U.S.C. §102(b) over JP 411004553 (JP '553). The rejection is respectfully traversed.

JP '553 fails to disclose a rotary electric machine with a flux concentrating rotor comprising permanent magnets disposed between pole pieces as recited in claim 1 or a flux concentrating rotor as recited in claims 39-42. In a flux concentrating rotor, pole pieces are disposed between adjacent magnets so as to concentrate the flux thereof. Applicants enclose a drawing illustrating the concentration of the flux using a flux concentrating rotor.

On the other hand, JP '553, as shown in Fig. 4, discloses magnets which are magnetized in the radial direction. JP '553 thus fails to disclose pole pieces between adjacent magnets or a structure which can create a concentrated flux. As discussed in JP '553's independent claim 1, only the specific shape and configuration of the magnet is discussed and not the placement of pole pieces between adjacent magnets. As such, JP '553 fails to teach or disclose Applicant's flux concentrating rotor.

In addition, claims 2-8, 13-15, 18-25, 30 and 32-38 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claim 1 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

Claims 16, 17 and 20 were rejected under 35 U.S.C. §103(a) over JP '553 in view of common knowledge in the art; claim 31 was rejected under 35 U.S.C. §103(a) over JP '553 in view of Curtis, Jr. et al (Curtis, Jr.), U.S. Patent No. 4,896,839; and claims 26-29 were rejected under 35 U.S.C. §103(a) over JP '553 in view of Guers, U. S. Patent No. 4,688,951. The rejections are respectfully traversed.

Neither of the applied references nor common knowledge overcome the deficiencies of JP '553 as applied to claim 1. Should the Examiner continue to rely on "common knowledge", he is respectfully requested to provide a reference or affidavit in support thereof. See 37 C.F.R. §1.105. In addition, claims 16, 17, 20, 26-29 and 31 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claim 1 and for the additional features recited therein. It is respectfully requested that the rejections be withdrawn.

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 - 42 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Appendix
Illustration
Abstracts (2)
U.S. Patents (3)

Date: March 24, 2003

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

APPENDIX

Changes to Claims:

The following is a marked-up version of the amended claims:

1. (Twice Amended) A rotary electric machine comprising:

a flux-concentrating rotor comprising permanent magnets disposed between pole pieces; and

a stator comprising

_____teeth having a free end deprived of pole swellings and

_____a concentrated winding.

14. (Twice Amended) A machine according to claim 1, wherein the magnets have edges that are adjacent to the stator and the rotor has at least one, at one axial end, a ~~cheek~~check-plate of non-magnetic material, with a periphery of the check-plate being set back from said edges.